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ON-THE-RECORD BRIEFING

**Assistant Secretary of State for International Organization Affairs
Kristen Silverberg on United Nations Reform**

**August 31, 2005
Washington, D.C.**

(2:10 p.m. EDT)

MR. CASEY: Good afternoon, everyone. Welcome to briefing two of our day here. I think, as you know, we've got our new Assistant Secretary for International Organizations Affairs, Kristen Silverberg, with us today. Also, should point out that we have accompanying her Mr. John Simon, who is the Senior Director for Relief, Stabilization and Development at the National Security Council.

They're here to talk to you today a little bit about the broad process of our UN reform priorities and agenda, but with a very specific focus, looking at the upcoming high-level event that will be taking place September 14-16 at UN headquarters in New York. There are some very significant documents that are being discussed related to that, talking about issues ranging from security, including counterterrorism measures, human rights and, of course, development issues.

And we want to give you a chance to hear a little bit about what our agenda is for that meeting, some of the conversations that have been going forward over the last few months and give you a chance to talk a little bit further about that.

So with that, let me turn it over to you, Kristen.

ASSISTANT SECRETARY SILVERBERG: Thanks. Thank you. I'll start by just giving a general overview about the high-level event and then happy to take any of your questions.

As you know, the 60th Session of the General Assembly convenes in September. This is a special year because in the run-up to the event, the UN is convening a high-level event attended at the head of state level. And the Secretary General has laid out a very ambitious four-part agenda for that event: development and the importance of poverty reduction; security and counterterrorism; democracy and human rights; and then UN reform. We are very much looking forward to this high-level event as a good opportunity to show some concrete progress, to get agreement on each of these various issues. So I'll just run through them quickly and then we can follow up.

On development, as you know, many of the issues under discussion at the high-level event were also the subject of much discussion at Gleneagles. The outcome at the G-8 was a big success for us, something we are very proud to be a part of it, something we know the UK was very proud to be a part of as well, because that document strongly reaffirmed that development is to be done in partnership with developing states, that we should focus on creating the kind of enabling environment that makes aid effective. In the high-level event, our efforts will be focused at reaffirming that approach, at broadening participation in that approach, trying to get agreement from a number of other member-states.

On security and counterterrorism there are some very important opportunities. The President will be signing the International Convention on the Suppression of Acts of Nuclear Terrorism. This is important because it's the first convention signed since 9/11. I mean, it helps states cooperate on preventing and prosecuting, extraditing people who possess unlawfully nuclear devices. We will also be calling on states to make progress on the Comprehensive Convention on International Terrorism, which rejects terrorism in all of its forms.

On democracy and human rights we'll be celebrating an accomplishment, achievement of one of the President's agenda items. The President will appear with other participants in the UN Democracy Fund, which he called for last year. The Secretary General has now followed through and established that fund. We have a number of contributions, including U.S. contributions to it, and so that's an important thing we want to honor.

We also are pushing very hard on a human rights council to replace the discredited Human Rights Commission. That's an important part of our UN reform agenda and we're very optimistic we're going to get some real progress forward on that piece.

And finally, on the other pieces of UN reform specifically, we're making some good progress on management and budget reforms. It's very important to make sure that UN programs are accountable and effective, to make sure that UN staff abides by the highest ethical standards. So we feel very good about that. And we're also promoting a new peace building commission to help coordinate both UN activities in the field and to make our peace building efforts more effective.

I'll just say a quick word about the process. President Ping sent out his first draft of an outcome document on June 3rd. The U.S. engaged immediately on the process. We provide written comments. We met, of course, with President Ping and his facilitators. We provided written comments on June 25th, on July 5th, on July 15th, on July 25th. Ambassador Anne Patterson gave an extensive speech, a widely publicized speech, on August 2nd. We provided further written comments this week, including through a number -- the formal negotiation process didn't start until Monday. Beginning with the convening of that formal negotiation, Ambassador Bolton put a number of specific amendments on the table -- I'm sorry?

QUESTION: (Off-mike).

ASSISTANT SECRETARY SILVERBERG: Oh, amendments on the table through some "Dear Colleague" letters, which I think are all available to you. And those spell out, here are some things, some proposals we have for making the document stronger, here are some issues, some, you know, important policy issues we want to see, we want to work on through the negotiation process.

We're happy about that process because it's been very transparent. There are 35 member-states participating in this core group, representing the full 191. It's obviously a negotiation and it's a complicated negotiation because of the breadth and ambition of the document and because of the number of states involved. But we think it's a good process and one that we're very happy to participate in.

We are very optimistic that this will be a successful summit. We know that it will be. But we like to keep in mind that it's a negotiation and we're going to continue to work night and day to make it -- to move ahead. With that, I'm happy to take questions and I'll ask John Simon to (inaudible).

QUESTION: What date did you say the Ambassador began forwarding amendments? The (inaudible) amendments?

ASSISTANT SECRETARY SILVERBERG: Our initial comments to the document were done in advance of Ambassador Bolton's arrival. I think -- I can't remember the exact date he was appointed, but it was August something. We provided written submissions on the document on June 25th, July 5th, July 15th, July 25th, roughly. I think that date may actually be a little later. And then Ambassador Patterson gave a long speech on August 2nd. Then we provided another set of materials, sort of formal amendments, beginning this week. And those were in the form of these "Dear Colleague" letters.

QUESTION: That covers a lot of ground and it's hard to break that down. When would you say the U.S. began to engage seriously? I don't mean you weren't serious, but proposed serious - - proposed changes -- call them amendments if you will -- or maybe they weren't put in amendment form right away. You know why I'm asking you this, because you've been accused of jumping in late and you are here, of course, to tell us you jumped in early.

So when Mr. Bolton did the same thing yesterday, so it's -- you're sort of reinforcing the message you got out in New York yesterday. So I'm trying to understand when it could be honest -- fairly said that the U.S. registered clearly the changes it wanted --

ASSISTANT SECRETARY SILVERBERG: Almost immediately. This has -- you know, Ambassador Tahir-Kheli has been very engaged, Ambassador Patterson has been very engaged from the beginning. This has been a very regular and close process with the UN officials and with other member-states. So this is something that we've been working on very actively for the U.S. Government.

You know, I'd also point out that a number of the things that we're suggesting with respect to the document aren't particularly surprising. They represent long-standing U.S. Government policy

views, many of which predate this Administration. So, for example, on things like the International Finance Facility, which was the subject of a lot of discussion at the G-8, or something like global taxes, these are things where the U.S. position is very well known. We have had -- have worked closely with a lot of our partners on, you know, trying to bridge the gaps on them, but this shouldn't have been particularly surprising to anyone that we were making that --

QUESTION: Well, I don't suppose you're a psychiatrist or a mind reader, but why do you think people are jumping on Mr. Bolton now?

ASSISTANT SECRETARY SILVERBERG: I don't --

QUESTION: Could it be Mr. Bolton that they're upset -- this is a carry-over from their feelings about him or is there anything serious here about lateness of joining the issue?

ASSISTANT SECRETARY SILVERBERG: I don't want to speculate what the view is. I will say that Ambassador Bolton has been a tireless and principled advocate for the U.S. position. He is very committed to making this a successful process. I am confident that with him in New York, it will be.

Yes.

QUESTION: James Rosen with Fox News. Throughout the confirmation battle over Ambassador Bolton's nomination, we were repeatedly told that one reason the Senate needed to act quickly was because UN reform was pending. Do you feel that our efforts to advance in this area were set back by the controversy that attached itself to the Bolton nomination? Is this a clear area where, had he been in office earlier, we would have been able to go about this in a better or more effective way?

ASSISTANT SECRETARY SILVERBERG: I think that UN reform is going to be an ongoing effort. It's not something that's going to -- you know, September is the next step in the process, but it's something that we're going to be working on for a long time. We'll be pursuing resolutions in the General Assembly this fall, so that's an important step. So we think we still have a very good opportunity to pursue these agenda items as we go forward.

Yes.

QUESTION: Barbara Slavin of *USA Today*. To follow on these things, there was a widely leaked document, which purported to show a number of edits and changes. Were those changes -- let me ask about them first. They seemed to eliminate all reference to numerical targets. There were efforts to weaken or eliminate references to Kyoto and the International Criminal Court. Is that an accurate document that's been circulated, and were those edits suggested by John Bolton or were they part of the interagency process?

ASSISTANT SECRETARY SILVERBERG: I think the best indicator of what the U.S. is seeking through the amendment process are the amendments he's actually put in the table and

have shared with member-states and asked them to consider. And so the best evidence of that are the "Dear Colleague" letters with the attached textual changes.

Obviously, in this document -- this is a very long document -- there are some minor things we think could happen to it that we don't feel strongly about. There are some very, very important U.S. policy concerns addressed in it. And so I wouldn't give too much credibility to a document that doesn't have explanatory -- that doesn't explain U.S. public position or that's subject to too much misinterpretation. I would direct --

QUESTION: (Inaudible) of an accurate document?

ASSISTANT SECRETARY SILVERBERG: You know, it depends on what you mean. Does somebody in an interagency have a view? I don't know. But I would look at what are the amendments the U.S. has actually put on the table, and the best indication of that are the things that Ambassador Bolton has proposed during the negotiations.

QUESTION: So you're suggesting we shouldn't -- we should not consider this document authoritative?

ASSISTANT SECRETARY SILVERBERG: I'm suggesting that --

QUESTION: And does that mean that the United States will include references to the Millennium Development Goals and more specific targets for various things; will allow for references to Kyoto and the ICC?

ASSISTANT SECRETARY SILVERBERG: On the reference to -- and John can jump in on this, too. Ambassador Bolton sent a very specific letter to address -- and so there was no confusion at all -- our view on the term "Millennium Development Goals" or, as we prefer to say, the goals in the Millennium Declaration.

The U.S. stands by its commitment to the goals in the Millennium Declaration. The President has said so specifically. This is an important commitment we made and, of course, we remain committed to it.

Separate from the Millennium Declaration, the UN Secretariat created a document that provides a number of indicators, ways to measure, ways the UN Secretariat thinks would be appropriate to measure progress towards those goals. Some of them we agree with, some of them we don't agree with. The U.S. never signed onto it. Other member-states didn't sign onto it. So we try to be very precise when we're talking about the Millennium Declaration to say we support the goals in the Millennium Declaration that were subject to U.S. agreement.

Anything you want to --

MR. SIMON: Exactly right.

ASSISTANT SECRETARY SILVERBERG: Thank you. Thanks. Yes.

QUESTION: A couple of things. One, how will the human rights council be different from the Human Rights Commission?

And then -- this is not meant to be a flip comment -- but is there anything, any aspect of this UN reform, that you don't feel very good or very optimistic about?

ASSISTANT SECRETARY SILVERBERG: To your first question, we focused really on two major problems with the existing, as I said, discredited Human Rights Commission. One is that, as we know, the commission has on occasion been populated by some of the worst abusers of human rights and this really reduces its legitimacy and makes it hard to work within the commission on actual problems. And the second thing is that sometimes the commission is distracted by -- not by their, you know, urgent and grave cases but by more thematic and, on occasion, politicized resolution.

So what we've tried to do is come up with a replacement body that would be smaller, and so we think more effective, that would be more focused on addressing urgent situations on some actual concrete progress, you know, things we can do to address actual crises. We would like to keep off members who -- any member-states that are not appropriate for inclusion in this important body. So we would like steps to make sure that the worst abusers are not on the council.

So we feel very good. There's a lot of support in the UN for this kind of thing. And to be honest, no, I feel like on our UN reform agenda, as I said, it's going to be an ongoing process. We'll be pursuing resolutions. So we'll -- it'll, you know, be a lot of back and forth. But actually, no, we feel very good about our agenda and on progress we're making persuading other member-states.

QUESTION: Just to follow, what will these standards be that you'll be using to gage who the worst offenders are?

ASSISTANT SECRETARY SILVERBERG: We've proposed that states subject to either sanctions or investigations should not be on the council. Other member-states have other proposals for ways that we can keep some of the worst offenders off. So this is going to be subject to lots of discussion by Ambassador Bolton and others.

QUESTION: What kind of sanctions?

ASSISTANT SECRETARY SILVERBERG: Security Council sanctions.

QUESTION: You know, there's also -- there are not many of those countries. There are plenty under U.S. sanctions, but --

ASSISTANT SECRETARY SILVERBERG: I think there are seven. I think there are seven countries subject to sanctions today.

QUESTION: In what -- if I can just follow up on the same question?

ASSISTANT SECRETARY SILVERBERG: Yeah.

QUESTION: So what would the mechanism be, once you establish who is an abuser of human rights with sanctions or investigations? Then what is the mechanism going to be, in your view, of keeping those people off the council and for how -- you know, how long can you keep them off?

ASSISTANT SECRETARY SILVERBERG: As I said, we proposed a blanket exclusion. A number of member-states have other proposals for ways to address that. Another thing that we proposed is a two-thirds voting requirement within the General Assembly so that -- which we think would be helpful in keeping some of the worst offenders off. So but again, this is going to be subject to lots of discussion going forward in the negotiations.

QUESTION: When you say "sanctions," do you mean specifically sanctions related to human rights?

ASSISTANT SECRETARY SILVERBERG: Yes.

QUESTION: Okay.

ASSISTANT SECRETARY SILVERBERG: Yes.

QUESTION: What exactly do you find offensive in the Millennium Development Goals that you're stripping -- you would like reference stripped to that term, and then having the kind of looser term "internationally agreed development goals"? What exactly is there in there? Is the GDP numbers that you're uncomfortable with or?

ASSISTANT SECRETARY SILVERBERG: Well, it would be hard to go through the whole - - you know, the Millennium Declaration was about a nine-page document. Again, the document we signed onto. What's commonly referred to as the Millennium Development Goals is, you know, a 55-page, you know, single-spaced, very detailed document. There are lots of different things in it that we agree with and disagree with on -- you know, there's, obviously a call for ratification of Kyoto, which is widely understood as not the U.S. position. There are other things that we endorse wholeheartedly. So I couldn't go through the entire document, only to say that the U.S. didn't sign onto it. And so we -- it's appropriate that we resist any implication that we have signed onto it.

Yes.

QUESTION: If I could slip in one other. What is the U.S. objection to the phrase that the use of force should be considered an instrument of last resort?

ASSISTANT SECRETARY SILVERBERG: I'm sorry, what's the U.S. objection?

QUESTION: Objection to the inclusion of the phrase that the use of force should be considered an instrument of last resort, which apparently was in the draft and --

ASSISTANT SECRETARY SILVERBERG: I'd have to -- yeah, I'll have to get back to you. I'm not sure what --

QUESTION: You're not aware of the fact that that's been (inaudible)?

ASSISTANT SECRETARY SILVERBERG: Yeah, no. I'll have to -- yeah, I'll have to look at that. Yeah.

Yes.

QUESTION: Do you expect agreement on the criteria for these exclusions on the new human rights body to be reached at the summit in New York next month?

ASSISTANT SECRETARY SILVERBERG: The outcome document is likely, we hope, to include some detail on what a human rights council should look like, how much detail is going to be subject to negotiation, what exactly the details are as subject to negotiation, and so we don't know. But yes, we're pushing for a, you know, robust head-of-state endorsement of the concept of a new council that would, in using some mechanism, keep off the worst offenders.

Yes.

QUESTION: Can you tell us the position of U.S. on the Security Council reform?

ASSISTANT SECRETARY SILVERBERG: Yes. The U.S. supports Security Council expansion at the appropriate time. What we've said, what the Secretary has said and Under Secretary Burns and others have said, is that we'd like to see progress on the other parts of the UN reform agenda before we move forward on this. We've said that it needs to be a consensus-driven product. You know, obviously, this is something that's subject to ratification in our own country and other -- and the countries of other members of the P-5. So we need to make sure it's something that we have sufficient support for here.

We've also laid out some criteria and said that in all cases, Security Council expansion should be judged against whether it's going to make the body more effective or less effective. And to weigh it out, we've come up with a series of criteria that include commitment to the organization, measured both by financial contributions or contributions to things like peacekeeping operations, size of the country, both in terms of economy and population. So we've laid out some criteria. We've said that Japan meets those criteria, in our view. And we'll continue -- this will be a subject of much discussion going forward.

Yes.

QUESTION: Could you say whether China would be one of those worst offenders that you just mentioned?

ASSISTANT SECRETARY SILVERBERG: China -- no, I cannot. China is not -- what's that?

QUESTION: Can you name the seven?

ASSISTANT SECRETARY SILVERBERG: I can't name the seven, actually, but I bet Jean Garen can.

MS. GAREN: No, I can't.

ASSISTANT SECRETARY SILVERBERG: Oh. (Laughter.) Well, can we get back to you on this, Evan?

QUESTION: Sure.

ASSISTANT SECRETARY SILVERBERG: Yeah, sorry.

QUESTION: China would have to, as a member of the Security Council, will have to approve setting out that Human Rights Council and all the mechanisms in the Council, right? So --

ASSISTANT SECRETARY SILVERBERG: This is a General Assembly resolution and so the General Assembly will vote on it.

QUESTION: To establish the Council?

ASSISTANT SECRETARY SILVERBERG: Yes, yes.

QUESTION: Okay. So the Security Council doesn't have to vote on establishing the Human Rights Council?

ASSISTANT SECRETARY SILVERBERG: No.

QUESTION: Okay.

ASSISTANT SECRETARY SILVERBERG: Yes, no. -- Yes, in the red.

QUESTION: What happens to this document if you don't get it passed and you don't then have the heads of state there to give their robust, what, endorsement? Obviously, as you say, this is an ongoing process but you're hoping to have it done, have a product to present, and what happens after that if not? Don't you lose a lot of momentum?

ASSISTANT SECRETARY SILVERBERG: I don't -- we are very committed to getting agreement on as much as we can in this agenda, so -- and I'm very confident we'll have a successful product. On the specific UN reform items, all of these, as I said, are going to be subject to resolutions in the General Assembly. So the outcome document is the first step in the

process, or I should say it's the second step since we've undertaken a number of steps already. And then the discussions over the actual resolution language come next.

QUESTION: Okay. I understand that you're confident, but there must be a plan B since there are all these --

ASSISTANT SECRETARY SILVERBERG: I wouldn't want to answer a hypothetical, as they say at the White House.

Yes.

QUESTION: What are the U.S. objections to the language on the so-called responsibility to protect civilians, you know, that are subject to genocide or whatever, if their own countries can't or won't protect them?

ASSISTANT SECRETARY SILVERBERG: The U.S. strongly -- believes strongly that we should always exercise a leadership role in ensuring that we do intervene in these cases. What we'd like to do is make sure that the language around responsibility to protect recognizes the fact that in all cases it's the Security Council that makes the decision to actually -- to move forward on intervention and that's something that, you know, the U.S. will continue to exercise leadership on.

We fully recognize that there is a moral responsibility of states to intervene in these important situations. It's an important principle for the President.

QUESTION: Is it an attempt, though, to avoid a legal obligation here, making this into a legal obligation for the UN?

ASSISTANT SECRETARY SILVERBERG: I think it's an attempt to recognize the fact that there's a very important role for the Security Council and sort of preserve, to ensure that Security Council action is what invites intervention.

QUESTION: Is the elimination of the Millennium Development Goals sort of your bottom line? And what happens if everyone else is pushing for it and you don't get agreement on that?

ASSISTANT SECRETARY SILVERBERG: This has been an issue that's come up in numerous international fora. It comes up really pretty frequently. And so I think that our view on it is pretty well understood by member-states. I think that we have a very good way of talking about it and one that ought to get lots of agreement, which is again, we support the goals of the Millennium Declaration. So, you know, we, I think, feel reasonably confident we'll be able to persuade -- come to agreement around something that we can all agree to.

QUESTION: But is that your bottom line in your negotiating process --

ASSISTANT SECRETARY SILVERBERG: I don't -- yes, I don't want to negotiate our bottom line here. I will say that it's, you know, a longstanding U.S. view.

Yes, James.

QUESTION: Prior to the 24th of August when Ambassador Bolton sent the first of these "Dear Colleagues" letters saying time is short and so on, had we heard in any substantive terms from other countries about their problems with this document? And I wonder if you can enlighten me specifically with regard to China and Russia.

ASSISTANT SECRETARY SILVERBERG: Yes. We have heard from, you know, across the board from a number of member-states about their concerns. We heard from them directly. We heard from them through the facilitators. We've had lots and -- you know, lots of the other member-states that are participating in this 35-member core group have put many, many amendments on the table. You know, Russia has come forward with lots of its own proposals. I want to get you some more details separately on specifically what their amendments have said. I don't want to speculate, but they've been very active in proposing changes to the document.

QUESTION: There's a sense in which -- and I'd like you to address it to the extent that you feel you can -- that the U.S. is being used as a sort of a stalking horse, where we're going to be demonized for being the ones to sink the Ping draft when, in fact, a lot of countries are only too happy to see it go. Is that the case?

ASSISTANT SECRETARY SILVERBERG: Lots of countries have different concerns with these documents. Some of them are our concerns; some of them are very different concerns. You know, that's kind of the nature of a UN negotiating process. It's always going to be the case that the U.S. will exercise a leadership role in these kinds of negotiations. And so -- and we expect to in this one to make sure that we have a successful summit.

QUESTION: One final -- one final one, if I may, please. Thank you.

ASSISTANT SECRETARY SILVERBERG: Yeah.

QUESTION: You just said that you're confident you'll get a successful product put together before this conference starts on the 14th of September. Is it more or less likely that this will be a document similar in length to the Ping draft or a two- to three-page document, such as Ambassador Bolton suggested?

ASSISTANT SECRETARY SILVERBERG: I don't know. I will say, just to correct the record on this, what we have said to lots of member-states is we're very open to the format of the final product. But obviously, it's in our interest to try to get resolution on all the things we care so much about, including our UN reform items. So I wouldn't -- we're very open-minded about what the final product looks like and want to listen to the views of other member-states and of President Ping and the Secretary General on that point. But generally, open-minded with the view towards getting as much detail as we can around our important priorities.

QUESTION: So the process isn't tipping one way or the other right now, as far as you can tell?

ASSISTANT SECRETARY SILVERBERG: Not -- it's very early in the process. We've, in fact, not yet finished the first round of kind of going through the document, so it's hard to tell at this point.

QUESTION: Just can I -- for clarification, if I could, on John Bolton's role.

ASSISTANT SECRETARY SILVERBERG: Yes.

QUESTION: A lot has been written about it. To what extent is he actually suggesting changes and so on? To what extent is he merely the messenger from the interagency process?

ASSISTANT SECRETARY SILVERBERG: The, you know, longstanding role of the Perm. Rep. [Permanent Representative] is to communicate the policy views which are set back in Washington, D.C. Policy for the UN is set primarily in the bureau that I run, but in consult -- you know, very close consultation with lots of other agencies, with Treasury, and DOJ, with the White House.

QUESTION: So he is not freelancing at all in any of this? Just -- because this has been said by a number of people --

ASSISTANT SECRETARY SILVERBERG: As I said, he's been a very good and tireless and, you know, I think, excellent advocate for U.S. policy views.

QUESTION: Okay.

ASSISTANT SECRETARY SILVERBERG: Yes.

QUESTION: What would the U.S. consider a successful conclusion to the summit? How would you characterize that in realistic terms?

ASSISTANT SECRETARY SILVERBERG: I would characterize that as head of state -- heads of state coming together around those four agenda items I outlined at the beginning, showing some real progress, some agreement around some concrete things that we can do in the important areas of development, security and counterterrorism, democracy and human rights, and UN reform, something that would give us real momentum going into this General Assembly.

QUESTION: But specific, you know, to the document?

ASSISTANT SECRETARY SILVERBERG: Specific to the document, that we'd actually have agreement from heads of states on all of -- yeah -- on those four things.

QUESTION: Thank you.

ASSISTANT SECRETARY SILVERBERG: Thanks.

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